



MARATHWADA MITRA MANDAL'S

SHANKARRAO CHAVAN LAW COLLEGE, PUNE

(Affiliated to Savitribai Phule Pune University & Approved by Bar Council of India and Government of Maharashtra)

[Accredited with 'A' Grade by NAAC]

Intra Collegiate Moot Court Competition (2023-24) Rules and Guidelines

Dear Students,

Moot Court Association (MCA) is excited to announce the Intra Collegiate Moot Court Competition for the academic year 2023-24.

To ensure the smooth conduct of the event, please take note of the following rules and guidelines:

1. Date of the Competition

The competition shall be held on **October 14th, 2023**.

2. Eligibility

Participant must be currently enrolled as a student of five year or three year law course in MM Shankarrao Chavan Law College, Pune.

3. Registration and Mandatory Participation

3.1 The last date for registration is **September 20, 2023**.

3.2 Participation in the competition is mandatory for all registered students.

3.3 Absence without valid reason will result in disciplinary action.

3.4 Link for Registration: <https://forms.gle/xFF5EkCSsfvTdFXc8>

4. Competition Format

4.1 There shall be only one round.

4.2 Participants shall individually present their case against the opponent. There shall not be a team for presenting the case.

4.3 Sides to be represented will be determined through a draw of lots.

5. Time Limits

5.1 Each participant will be allowed 10 minutes for oral arguments and 5 minutes for rebuttal.

5.2 Participants shall strictly follow the time limit. Extending arguments without the permission of panel judge may lead to deduction in marks.

6. Memorial Submission

6.1 Hardcopies of memorials (three copies) must be submitted on **October 6, 2023 between 12:30 pm and 01:00pm** in Class Room No. 501.

6.2 Late submission will result in negative marking (one mark per day).

7. Particulars of Memorials

7.1 Memorials shall be written in English.

7.2 Memorials shall consist of the following:

- a. Cover Page
- b. Table of Contents
- c. Index of Authorities
- d. List of Abbreviations
- e. List of Sources
- f. Statement of Jurisdiction
- g. Statement of Relevant Facts
- h. Statement of Issues
- i. Summary of Arguments
- j. Arguments Advanced
- k. Prayer

7.3 Anonymity

- a. Students should not disclose their names or include them in the memorial.
- b. Each student will be assigned a team code after registration, which must be mentioned on the memorial.

7.4 Copies of Memorials

- a. Students must submit three copies of the memorial for the side allotted to them by the draw of lots.
- b. Attendance at the draw of lots is mandatory.

7.5 Formatting Requirements

- a. Memorials should be typed on A4 Size paper, with a 1.5 inch margin from the left side and a 1-inch margin from right side, top and bottom.
- b. Font: Times New Roman, Font Size: 12, and Line Spacing: 1.5.
- c. Total pages of memorial should not exceed 25 pages.
- d. Page numbering should be at the bottom middle of each page.
- e. Cover page must be in BLUE for Petitioner/Appellant and RED for Respondent/Defendant.
- f. The cover page of the memorial must include: The case title, Identity as Petitioner/Appellant or Respondent/Defendant and Code Number (Top Right Corner).
- g. Plagiarism is strictly forbidden. This includes copy-pasting texts without citing and/or not providing references to the original source(s).
- h. The submission of hard copies of case laws and compendium is at the discretion of students.

8. Draw of Lots

The draw of lots will be conducted on **September 21, 2023**.

MM SCLC INTRA-COLLEGIATE MOOT COMPETITION 2023-24

9. Language and Dress Code

The Language shall be English and the dress code is as prescribed by the Bar Council of India.

10. Participants of this Competition may represent the college in external moot court contests. Following the Intra Collegiate Moot Court Competition, the top 30 students will receive priority consideration for external representation.

11. The institution expressly reserves the prerogative to modify any of the stipulated rules, guidelines, and the aforementioned competition dates.

IMPORTANT DATES:

Last date of Registration	September 20, 2023 https://forms.gle/xFF5EkCSsfvTdFXc8
Draw of lots	September 21, 2023
Submission of Memorial	October 6, 2023 12:30 pm to 01:00pm Class Room No. 501
The Competition	October 14 th , 2023

We encourage all eligible students to participate actively in this competition.

Intra Collegiate Moot Court Competition (2023-24)
Moot Problem

Ajay Weasley and Rohan Malfoy are childhood friends both aged about 20 years and have been studying together since school days. They both are pursuing law from a reputed law college. Ajay is brilliant in academics and excels in every subject. He is very diligent, hardworking and aces the college exams every semester. Rohan, on the other hand, is not very good when it comes to studies and is more focussed in getting things done by finding shortcuts.

However, even though their academic capabilities are not at par, Ajay and Rohan being childhood friends, are always seen together. Rohan is lazy enough to ask Ajay to complete all his academic assignments and being a good friend, Ajay obliges, even if it causes him to have additional workload. Rohan's father Mr. Rajesh Malfoy is a highly influential and successful business person and often travels abroad for work purposes. Mr. Rajesh had recently returned from a business tour covering various countries of the European Union.

Rohan had invited Ajay over to his place, to hand him over various souvenirs, chocolates and other imported goods that Rohan's father had bought for Ajay. When Ajay reached Rohan's place, Mr. and Mrs. Malfoy greeted him and inquired about his studies. They were very impressed with Ajay's progress and even taunted Rohan that he should work hard and learn something from Ajay. Rohan was used to such comparison being made with Ajay and did not pay heed. All of them proceeded to have dinner after which Rohan then went to his room and brought out a travel bag. He handed over the travel bag to Ajay and informed him that the said bag contained chocolates, fridge magnets, some souvenirs and an imported wallet and belt. Ajay accepted the same and went back to his place.

Upon reaching his place, Ajay opened the bag and discovered various chocolates, keychains, fridge magnets, a wallet, a belt and to his utter surprise, a bullet. Ajay was scared to discover a live piece of ammunition in his possession. Being a law student, he was aware that possession of live

ammunition without the requisite license/permission would amount to an offence. He was also quick enough to recollect that Mr. Rakesh in fact, had a licensed weapon in his name that he had procured for his safety and security. Ajay thought that the bullet in question might have been accidentally left out in the travel bag by Mr. Rakesh and that Ajay can return it to him the other day. Since it was late in the night, Ajay did not bother to communicate about the said bullet either to his own family or the Malfoys.

He was however, very restless and wanted to ensure that he does not invite any trouble for being in possession of such ammunition. He therefore, messaged one of his college seniors Advocate Mr. Victor, who was now a practicing advocate, and informed him of the situation. Advocate Victor replied with an advice that Ajay should either inform the police or dispose the bullet, instead of handing it over to Mr. Malfoy.

The next day, Ajay left on his moped for Mr. Malfoy's place with the intention of handing over the bullet to him. He was very anxious and wanted to hand over the bullet once and for all and get rid of the burden. Accidentally, he jumped a signal and was pulled over by a traffic cop. While he was trying to produce the documents pertaining to his vehicle, the bullet fell out of Ajay's pocket and the traffic cop inquired for his weapon license. Ajay could not produce any license nor could give any explanation as to the source of the bullet. He also refused to give his name and address to the cop on duty, since he was utterly scared because of the entire sequence of events and unfortunate con-incidences. Ajay was therefore, immediately arrested. The bullet was seized in the presence of *panchas*. Based on his statements, the Police went on to Mr. Malfoy's house to confirm whether Ajay's story was true.

Mr. Malfoy produced his valid weapon license and also the licensed weapon for the inspection of the Investigating Officer. The License also had an endorsement that since the date of purchase, about 25 bullets were issued against the said weapon license. Out of the 25 issued rounds, Mr. Malfoy could produce only 22 rounds before the police. He could not give any satisfactory explanation as to the use of 3 bullets which were missing from his custody. Mr. Malfoy and his family entirely disowned the narrative given by Ajay and claimed that they had no knowledge about the single round of ammunition which was found with Ajay.

The matter went on for trial. During the course of the trial, the Prosecution examined the Traffic Cop, two *pancha* witnesses and the Investigation Officer. The accused Mr. Ajay was also examined. The Defence examined Advocate Mr. Victor. However, the learned trial court judge discarded his testimony on the ground that it was a privileged communication between an attorney and a client. The trial court convicted Mr. Ajay under the relevant provisions of the Arms Act, 1959 and sentenced him to 2 years of imprisonment. The first Appellate Court upheld the judgment of the trial court without interfering with the judgment or the sentence.

Mr. Ajay has appealed against the judgment and sentence of the trial court and the following questions have been framed in the Appeal before the Second Appellate Court:

1. Is the Judgment and sentence of the trial court and the first appellate court liable to be set aside?
2. Can Mr. Ajay said to be in 'conscious possession' of the ammunition found upon him?
3. Was the learned trial judge justified in disregarding the testimony of Mr. Victor terming it as protected by attorney client privilege?
4. Is the Advocate, Mr. Victor liable for any proceedings or prosecution whatsoever?

Note:

1. All the names, references and events in this moot proposition are fictitious and have been drafted only for the purposes of an academic exercise. Any similarity with any names or events whatsoever is purely coincidental.
2. The participants can refer and rely on all the laws, rules, regulations and legislations as are in force in India, as on the date of publication of this moot proposition.

If you have any question or need further clarification related to moot problem, please write to mca@sclc.edu.in on or before 19.09.2023.